IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL REVISION APPLICATION No 395 of 2003

For Approval and Signature:

HON'BLE MR.JUSTICE D.H.WAGHELA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

GITABEN F CHAUHAN

Versus

STATE OF GUJARAT

Appearance:

1. Criminal Revision Application No. 395 of 2003

MR AD SHAH for Petitioner No. 1-2

MS P.B.SHETH, ADDL.PUBLIC PROSECUTOR for Respondent No. 1

MR ASHUTOSH R BHATT for Respondent No. 2

CORAM : HON'BLE MR.JUSTICE D.H.WAGHELA

Date of decision: 24/12/2003

ORAL JUDGEMENT

Rule. Learned Counsel for the respondents waive service.

Apart and away from the legal controversy raised in this application, the contesting parties are stated to have arrived at a settlement settling all the monetary disputes involved in the original Criminal Case No. 801 of 2003, which is pending in the Court of the learned Chief Judicial Magistrate, Vadodara. A copy of the draft settlement signed by the parties and their learned Counsel is produced and taken on record. It was on that basis submitted that the original criminal case itself shall not survive and the original complainant i.e. the respondent No.2 herein shall file an application in the trial Court for withdrawal of the complaint. It was also agreed and jointly submitted that the petitioner shall not be required to attend the Court for terminating proceedings in the trial Court and the necessary order shall be obtained by the complainant by making the necessary application seeking permission to withdraw the complaint.

The parties having arrived at a settlement as above, this application is not pressed for any further relief and upon recording of the above understanding it is sought to be withdrawn. The permission being granted, it stands disposed of as withdrawn. Rule is discharged with no order as to costs. Direct service is permitted.

(D.H.Waghela, J.)
*/Mohandas